♦AO 440 (Rev. 8/01) Summons in a Civil Action

## United States District Court

District of Delaware

Endo Pharmaceuticals Inc. and

Penwest Pharmaceuticals Co.,

Plaintiffs,

SUMMONS IN A CIVIL CASE

V.

Impax Laboratories, Inc.,

Defendant.

CASE NUMBER:

08-463

TO: (Name and address of Defendant)

Impax Laboratories, Inc.

c/o The Prentice-Hall Corporation System, Inc.

2711 Centerville Road - Suite 400

Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Maryellen Noreika Morris, Nichols, Arsht & Tunnell LLP 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within <u>twenty (20)</u> days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

DATE

7/25/08

CLERK

(By) DEPUTY CLERI

RETURN OF SERVICE	
Service of the Summons and complaint was made by me <sup>(t)</sup> DATE  July 30, 2008	
NAME OF SERVER (PRINT)  BEO DUSTEIN  Messenger	
Check one box below to indicate appropriate method of service	
☐ Served personally upon the defendant. Place where served:	
☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.	
Name of person with whom the summons and complaint were left:	
☐ Returned unexecuted:	
Other(specify): By hand delivering a copy of the summons and complaint to Mary Matterer, Esquire, Morris James LLP, 500 Delaware  Avenue, Suite 1500, Wilmington, DE 19801	
STATEMENT OF SERVICE FEES	
TRAVEL SERVICES	TOTAL
DECLARATION OF SERVER	
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.  Executed on   TH30/08  Date  Signature of Server  1201 North Market Street  Wilmington, DE 19801  Address of Server	